

# **New Mexico Law Enforcement Accreditation PROGRAM MANUAL**



**First Edition  
January 2002**  
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Amended December 2017*

## **Disclaimer**

This manual contains voluntary standards for the New Mexico law enforcement community that have been reviewed by the Professional Standards Council. These standards are not a substitute or replacement for any legal requirement that may apply to agencies involved in law enforcement services in New Mexico. The Professional Standards Council recognizes that state and local ordinances, codes, rules and regulations take precedence over these standards.

## **TABLE OF CONTENTS**

ACKNOWLEDGEMENTS

INTRODUCTION

PROFESSIONAL STANDARDS COUNCIL

HOW TO USE THIS MANUAL

STANDARDS

ADMINISTRATION	ADM.01.01
OPERATIONS	OPR.01.01
PERSONNEL	PER.01.01
TRAINING	TRN.01.01

## **ACKNOWLEDGEMENTS**

This program was initiated through a cooperative effort involving the New Mexico Municipal League, the New Mexico Self-Insurers' Fund and the New Mexico Association of Chiefs of Police.

## **INTRODUCTION**

"Quality is never an accident; it is always the result of high intention, sincere effort, intelligent direction and skillful execution; it represents the wise choice of many alternatives."

- Will A. Foster

Accreditation is the ongoing process whereby agencies evaluate policy and procedure against established criteria and have compliance with that criteria verified by an independent and authoritative body. The criteria, or standards, are policy development guidelines that represent a level of quality service delivery. The true indicator of compliance, however, lies with an evaluation by trained, independent professional peers. The establishment of meaningful and professional standards and evaluation for compliance with those standards are, therefore, the two fundamentals of an accreditation program.

The attitudes, training, and actions of employees of New Mexico's law enforcement agencies best reflect compliance with the standards contained in this document. Policy and procedure based on professional standards will not ensure a crime-free environment for citizens, nor will it ensure an absence of litigation against law enforcement agencies and executives. However, effective and comprehensive leadership through professionally based policy development directly influences the department's capacity to deliver mandated services, with a greatly enhanced ability to cope with the threat of successful litigation.

The ultimate goal of all accreditation programs is enhanced service delivery. The goal of the New Mexico Municipal League, New Mexico Self-Insurers' Fund and the New Mexico Association of Chiefs of Police is to make available a framework whereby the New Mexico law enforcement community provides a voluntary, relatively cost-free accreditation program that is comprehensive, obtainable, and based on standards that reflect professional service delivery. In developing the program, the organizations recognized the limited financial and manpower resources of a great many agencies and developed standards that would not place overwhelming demands on those resources.

The standards developed are the basis of an accreditation program that affects every component of the agencies involved. Through the dedication to service and professionalism evidenced by obtainment of accredited status, law enforcement agencies can greatly affect the communities they serve.

The development of department policy is the most significant duty of chiefs of police, ergo; this manual contains no policies or procedures. The standards developed are only guidelines for WHAT should be done, not HOW it should be done. Policies on many topics, for instance, the use of force, may be very similar among most agencies. On the other hand, policies dealing with disciplinary actions may vary greatly. Policy development that complies with these standards, however, remains dependent on the judgment of the chief executive officer.

For additional information contact:

The New Mexico Association of Chiefs of Police

This manual represents many hours of effort by numerous New Mexico law enforcement personnel. The New Mexico Municipal Law Enforcement Professional Standards Council is reviewing all standards. Consultants provided the Council with a critical review of every standard proposed. The Accreditation Program consultants were responsible for the actual drafting and updating of standards for consideration.

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## HOW TO USE THIS MANUAL

### **Standards**

The standards are divided into four general subject areas: Administration, Operations, Personnel, and Training.

The **Administration** area covers those law enforcement operations that are involved in the day-to-day management of the organization. These standards address the agency mission, goals, and public service role. Components of the organization that do not normally deliver direct law enforcement services to the community are addressed under this section, including Planning and Research, Budget and Fiscal Management, and Communications. This section is the largest division, containing standards under 25 topic areas. The letters ADM preceding the standard number, e.g. ADM.18.01, identify all Administration standards.

The **Operations** section covers those areas where direct service delivery is most often found. Patrol, Criminal Investigations, and Court Security are examples of standard types found in this section. Operations contain standards under 12 topic areas. The letters OPR identify all standards under Operations preceding the standard number, e.g. **OPR.08.04**.

The **Personnel** section is devoted to subjects involving areas of policy that govern the employment and career opportunities and the work environment. Subjects such as Selection and Hiring, Performance Evaluations, and Discipline are found here. The Personnel section contains 36 standards in 10 topic areas. The letters PER identify standards under Personnel preceding the standard number, e.g. **PER.06.01**.

The smallest, but certainly very important, area of standards is found in the last subject area, **Training**. Although this section contains only eight standards in four topic areas, the policies developed for these items greatly influence many other subject areas. This area should never be overlooked because of its size! The letters TRN identify training standards preceding the standard number, e.g. **TRN.01.01**.

The **Standards** contain at least two components and may be divided into subsections. The example below illustrates these parts.

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**ADM.09.01** The agency has a written directive system that includes, at a minimum:

- a. A statement of agency policy;
- b. Procedures for carrying out agency activities;
- c. Rules and regulations; and

d. Procedures for indexing, purging, updating, and revising directives.

**COMMENTARY:** *The agency should establish a formal written directives system to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. Agency directives should be current and reviewed at least annually.*

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In the above example, its specific number, ADM.09.01, identifies the standard. This number indicates it is an **Administration** standard (ADM) and in the tenth topic area (Written Directives) and is the first of the standards in this area.

Following the number is the **standard statement**. The standard statement can be several sentences long and will describe the crux of the requirement. In some cases, such as in the example we are using here, the **standard statement** also contains several **bullets**. In **ADM.09.01** there are four **bullets**, a, b, c, and d. The **bullets** indicate specific points that must be addressed in the agency's policy statement for compliance.

*Commentary* entries have been developed for many of the standards. The commentaries more fully define the intent of a particular standard; however, they are NOT BINDING when the policy is assessed for compliance. Additionally, any **bullets** that appear in the commentary section of a standard are also not binding. For an example of both binding and non-binding bullets see **ADM.11.01**.

Several of the standards are "**If..**" standards. These standards require compliance from only those agencies that perform the particular duty or employ the named specific components. For instance, if the agency does not allow off-duty employment, it is not required to develop policy on how off-duty employment is administered as stated in standard **PER.04.02**. However, the agency must still develop a policy regarding the forbidding of off-duty employment, as required by standard **PER.04.01**.

Sometimes the "**If**" standard will be self-descriptive, such as:

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**OPR.01.03** **If** unmarked vehicles are used for traffic enforcement, they must be equipped with a siren and emergency lights in operational order, and constant radio communication.

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If your agency does not use unmarked cars for traffic enforcement, then you are not required to develop a policy to ensure that the unmarked vehicles you do have are equipped as indicated. Keep in mind the standards are minimum guidelines. In the above example, the agency certainly can equip all department vehicles with emergency equipment, and in the case of patrol cruisers, certainly should!



The standards developed should serve as a blueprint for agency policy. They are not, however, the only resource the agency should explore. New Mexico law enforcement agencies have an excellent reputation regarding the sharing of information, especially in the area of policy development. Departments that have long-term commitment to accreditation efforts can serve as a tremendous resource to those just starting the process. New accreditation managers seeking advice should never hesitate to contact other agencies involved in the accreditation process.

**Observable** standards should be documented photographically with a date and signature of who took the photo for each year of the accreditation cycle.

NOTE: An asterisk behind a standard number indicates there is a corresponding standard in the Recognition Program.

# **ADMINISTRATION**

<b>Agency Role</b>	<b>ADM.01.01-01.02</b>
<b>Limits of Authority</b>	<b>ADM.02.01-02.05</b>
<b>Mission Statement</b>	<b>ADM.03.01</b>
<b>Goals and Objectives</b>	<b>ADM.04.01</b>
<b>Use of Force</b>	<b>ADM.05.01-05.04</b>
<b>Medical Aide</b>	<b>ADM.05.05</b>
<b>Weapons</b>	<b>ADM.06.01</b>
<b>Structure and System</b>	<b>ADM.07.01-07.05</b>
<b>Classification/Task Analysis</b>	<b>ADM.08.01</b>
<b>Written Directives</b>	<b>ADM.09.01-09.03</b>
<b>Planning and Research</b>	<b>ADM.10.01</b>
<b>Crime Analysis</b>	<b>ADM.11.01</b>
<b>Risk Analysis</b>	<b>ADM.12.01</b>
<b>Auxiliary/Reserve Program</b>	<b>ADM.13.01</b>
<b>Mutual Aid</b>	<b>ADM.14.01</b>
<b>Liaison with Other Agencies</b>	<b>ADM.15.01-15.03</b>
<b>Budget and Fiscal Management</b>	<b>ADM.16.01-16.03</b>
<b>Property and Evidence Control</b>	<b>ADM.17.01-17.06</b>
<b>Contract Services</b>	<b>ADM.18.01</b>
<b>Internal Affairs</b>	<b>ADM.19.01-19.09</b>
<b>Inspectional Services</b>	<b>ADM.20.01</b>
<b>Community Relations</b>	<b>ADM.21.01-21.03</b>
<b>Crime Prevention</b>	<b>ADM.22.01-22.02</b>
<b>Public Information</b>	<b>ADM.23.01-23.03</b>
<b>Victim/Witness Services</b>	<b>ADM.24.01-24.04</b>
<b>Communications</b>	<b>ADM.25.01-25.10</b>
<b>Records</b>	<b>ADM.26.01-26.12</b>
<b>Sex Offender Registration</b>	<b>ADM.27.01</b>
<b>Social Media</b>	<b>ADM.28.01</b>
<b>Agency Property</b>	<b>ADM.29.01-29.02</b>

## AGENCY ROLE

**ADM.01.01**\* A written directive requires all personnel, before assuming sworn status, to take an oath of office to enforce the law and uphold the Constitution of the United States, the Constitution of the State of New Mexico and the ordinances of the agency's local jurisdiction.

*COMMENTARY: The oath shall include, at a minimum, the wording required by Article XX, Section 1 of the New Mexico Constitution. County sheriff agencies must file this oath with the county clerk's office and district court clerk's office.*

**ADM.01.02** A written directive requires all sworn officers to abide by a code or canon of ethics adopted by their agency.

*COMMENTARY: The canon of ethics adopted by the International Association of Chiefs of Police, the Law Enforcement Code of Ethics, as published by the International Chiefs of Police or the Code of Ethics of the Office of the Sheriff, as adopted by the National Sheriff's Association will satisfy the intent of this standard.*

## LIMITS OF AUTHORITY

**ADM.02.01**\* A written directive defines the authority vested in sworn personnel.

*COMMENTARY: Refer to NMSA 3-13-2*

**ADM.02.02**\* A written directive governs procedures for assuring compliance with all applicable constitutional requirements including:

- a. interviews and interrogations;
- b. access to counsel;
- c. search and seizure;
- d. stop and frisk; and
- e. assuring all constitutional safeguards are provided to non-English speaking and/or hearing impaired persons in a manner that is understood.
- f. Miranda warning recording

*COMMENTARY: The agency should assure that hearing impaired and/or non-English speaking persons understand their rights under the Constitution. Qualified interpreters should be used whenever constitutional issues become apparent to officers who are confronted with hearing impaired and/or non-English speaking persons.*

**ADM.02.03**\* A written directive governs search and seizure with and without a warrant by agency personnel.

- a. Search with a warrant
- b. Search without a warrant

**ADM.02.04\*** A written directive specifies the procedures for any arrest made, with and without a warrant.

- a. Arrest with a warrant
- b. Arrest without a warrant

**COMMENTARY:** Refer to §66-8-125, 31-1-7, 31-4-14, 30-21-3, 31-1-6, 30-16-16, 30-3-6, 30-32-3 NMSA. (7/01)

**ADM.02.05** A written directive defines the authority, guidelines, and circumstances when sworn personnel may exercise alternatives to arrest, pre-arraignment confinement or pretrial release.

## **MISSION STATEMENT**

**ADM.03.01** The agency shall have a written mission statement disseminated to all personnel that defines the agency's purpose.

**COMMENTARY:** *The mission statement may address the agency's overall philosophy and strategies (e.g. community-based policing, intra-department communications and relationships) in carrying out its functions.*

## **GOALS AND OBJECTIVES**

**ADM.04.01** Written goals and objectives are reviewed annually, and, if updated, made available to all agency personnel.

**COMMENTARY:** *Establishing goals and objectives that are communicated to all employees ensures unity of purpose and direction. Periodic evaluation and updating of goals and objectives serve as a basis for measuring progress.*

## **USE OF FORCE**

**ADM.05.01\*** A written directive states:

- a. that officers shall use only reasonable force necessary to effect lawful objectives in responding to perceived threats;
- b. that officers may use deadly force only under a reasonable belief that the action is in defense of human life, including the officers', or in defense of any person in imminent danger of serious physical injury; and
- c. specifies that the use of deadly force against a fleeing felon must meet the standard under "b."

**COMMENTARY:** *This directive encompasses the use of all kinds or types of force, whether deadly or not. The purpose of this standard is to provide officers with guidance in use of force situations. The agency must include in its orders definitions of "reasonable belief," "serious physical injury," and "excessive force," per rulings of the U.S. Supreme Court.*

**ADM.05.02\*** A written directive establishes the agency's policy and procedures regarding the discharge of warning shots.

**ADM.05.03\*** A written directive requires that all sworn personnel be issued copies of and be trained in orders pertaining to ADM.05.01 and ADM.05.02 before being authorized to carry a firearm.

**ADM.05.04\*** A written directive outlines procedures to be observed following an application of force, to include:

- a. a description of the internal process for the documentation, review, and disposition of any incident where an officer applies force resulting in, or allegedly resulting in, injury or death of a person; and
- b. a provision permitting the removal of any employee from line duty assignment, pending administrative review, whose actions or application of force results in serious physical injury or death.

***COMMENTARY:** Agencies must carefully review all incidents in which the application of force causes injury or death. Agencies may wish to consider that all applications of force should be documented and reviewed, not just those resulting in serious injury or worse. Control over the application of force must be maintained for reasons of safety, compliance with state law, or constitutional decisions. The agency directive should state situations or contexts in which force is applied that do not require reporting, such as during training. The purpose of removing employees from line duty assignment is to shield those who have not exceeded lawful authority in applying force. Further, agencies might consider removing from line duty officers who have been involved in critical or traumatic use of force incidents for debriefing or counseling, possibly including the officers' family. Further, agencies should review their force directives at least annually.*

## **MEDICAL AID**

**ADM.05.05\*** A written directive specifies procedures for ensuring appropriate medical aid is provided after the use of lethal or non-lethal weapons or other use of force incidents as defined by the agency.

## **WEAPONS**

**ADM.06.01\*** A written directive:

- a. requires officers to receive training and demonstrate proficiency in the use of all authorized weapons before carrying them;
- b. requires officers to qualify at least annually with any firearm they are authorized to use;
- c. requires officers to undergo refresher training and qualification (if applicable) at least biennially for any weapons other than firearms; (exception: Conducted Electrical Weapons);
- d. lists procedures for authorizing and carrying non-issued personal weapons, whether lethal or non-lethal; whether for on duty or off duty use; and
- e. gives agency requirements or prohibitions for carrying weapons and ammunition while on duty or while off duty.

- f. If the agency issues CEW to its officers, the agency will meet the manufactures training requirements to maintain the certification.

**COMMENTARY:** *The standard is intended to cover the issuance, training, certification, and carrying of all authorized weapons, from non-lethal varieties to firearms. Training refers to the basic academy regimen defined by the New Mexico Law Enforcement Academy, as well as in-house or in-service training on the circumstances for applying force. Training would include the inspection of weapons conducted by a qualified person. Certification refers to the completion of the academy regimen to a minimum standard. Officers must demonstrate knowledge of laws concerning the use of weapons, particularly firearms, and demonstrate knowledge of safe handling procedures for all weapons they are authorized to carry. In a directive authorizing that certain weapons be carried and used, specific language should address technical characteristics (such as barrel length, caliber for firearms.) Further, the directive should specify the circumstances under which an officer may or may not carry a firearm or other weapon, or ammunition, while off duty, and the training necessary before doing so.*

## **STRUCTURE AND SYSTEM**

**ADM.07.01** A written statement issued by a unit of government, or a law or ordinance, or a combination, designates the authority and responsibility of the Chief Executive Officer. (Written Directive Only)

**ADM.07.02** A written directive establishes the command protocol for the following situations, at a minimum:

- a. the absence of the Chief Executive Officer;
- b. exceptional situations;
- c. situations involving personnel of different functions engaged in a single operation; and
- d. normal day-to-day agency operations.

**ADM.07.03** A written directive describes the agency's organizational structure (chart) and functions and is available to all personnel. (Written Directive Only)

**ADM.07.04** A written directive requires that:

- a. each employee is responsible to only one supervisor at any given time;
- b. each organizational component is under the direct command of only one supervisor; and
- c. supervisory personnel are accountable for the performance of employees under their immediate control.

**ADM.07.05** A written directive requires that:

- a. responsibility be accompanied by commensurate authority;
- b. each employee is accountable for the use of delegated authority;
- c. all employees obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank; and

- d. the directive must also include procedures to be followed by an employee who receives a conflicting or unlawful order.

## **CLASSIFICATION/TASK ANALYSIS**

**ADM.08.01** A task analysis is conducted for all personnel within the agency.

*COMMENTARY: Every job classification should have a comparable task analysis classified by rank and position (i.e. patrol officer, detective sergeant, operations deputy, civilian personnel, etc.) detailing the knowledge, skills, and abilities needed to perform that job.*

## **WRITTEN DIRECTIVES**

**ADM.09.01** The agency has a written directive system that includes, at a minimum:

- a. a statement of agency policy;
- b. procedures for carrying out agency activities;
- c. rules and regulations; and
- d. procedures for indexing, purging, updating, and revising directives.

*COMMENTARY: The agency should establish a formal written directives system to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. Agency directives should be current and reviewed at least annually.*

**ADM.09.02** A written directive identifies the persons or positions that have the authority to issue, modify, or approve agency written directives. (Written Directive Only)

*COMMENTARY: The agency's written directive system should include involvement from staff personnel, and may want to involve components of the agency that would be affected by the directive.*

**ADM.09.03** A written directive establishes procedures for the dissemination of approved agency directives to agency personnel, to include:

- a. affected personnel;
- b. placement at accessible locations; and
- c. acknowledgement of receipt.

*COMMENTARY: The agency should either distribute the directives to each person affected by them or place the directives at specified locations.*

## **PLANNING AND RESEARCH**

**ADM.10.01** A written directive establishes and defines the planning and research function of the agency.

**COMMENTARY:** *The responsibility for planning and research must be clearly delineated. This responsibility should identify the types of planning necessary to ensure effective agency operations. The written directive should outline purposes, scope, responsibilities, and expectations of the planning and research component.*

## **CRIME ANALYSIS**

**ADM.11.01** A written directive establishes crime analysis functions to include at a minimum:

- a. specification of documents from which crime analysis data elements are extracted;
- b. analysis of crime data;
- c. identification of potential or actual police/citizens concerns;
- d. documentation of the temporal (time) and geographic (location) distribution of selected crimes;
- e. the distribution of crime analysis information, to include the chief executive officer; and
- f. feedback analysis and program evaluation.

**COMMENTARY:** *Crime analysis should provide currently useful information by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Factors to consider in crime analysis include:*

1. *Frequency by type of crime;*
2. *Area/location;*
3. *Date & time;*
4. *Victim and target descriptions;*
5. *Suspect descriptions;*
6. *Suspect vehicle descriptions;*
7. *Modus operandi information; and*
8. *Physical evidence information.*

*Crime analysis can be useful to the agency's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities. For a crime analysis system to function effectively, information should be disseminated to the appropriate units or person on a timely basis. Information relevant to the development of the agency's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.*

## **RISK ANALYSIS**

**ADM.12.01** A written directive establishes risk analysis procedures to include:

- a. specification of source documents from which risk analysis data elements are extracted;
- b. analysis of risk data;
- c. the distribution of risk analysis information; and briefing the agency's executive officer on risk patterns or trends;
- d. documentation of preventative strategies of selected risks.



**COMMENTARY:** Risk analysis represents a system utilizing regularly collected information on losses and exposures, to prevent and suppress employee injuries, lawsuits and liability exposure. Risk analysis should provide currently useful information to aid personnel in safely meeting their operational and tactical objectives, by identifying and analyzing loss causation factors, providing loss trend patterns, and development of preventative strategies. Also, risk analysis can be useful in maintaining authorized staff levels and reducing the agency's cost of risk.

## **AUXILIARY/ RESERVE OFFICER PROGRAM**

**ADM.13.01** A written directive establishes and describes the agency's auxiliary program, to include:

- a. the authority of the auxiliary personnel;
- b. the duties and responsibilities of the auxiliary personnel; and
- c. all training requirements necessary to obtain and maintain auxiliary personnel status.

**COMMENTARY:** Auxiliary officers act with the authority of their agency, and present a potential liability if tasked with performing duties (such as traffic direction) without prior training.

## **MUTUAL AID**

**ADM.14.01** Interagency agreements concerning contiguous jurisdictions and other jurisdictions within the state of New Mexico. (Proof Only)

## **LIAISON WITH OTHER AGENCIES**

**ADM.15.01** The agency demonstrates liaison with other criminal justice agencies in its service area, to include:

- a. local adult and juvenile courts;
- b. District Attorneys;
- c. probation and parole agencies;
- d. adult and juvenile correctional agencies, if available; and
- e. other law enforcement agencies having concurrent authority in the agency service area.
- f. the agency demonstrates liaison with local fire and rescue agencies

**COMMENTARY:** Maintaining liaison and communications between the agency and other criminal justice agencies enhances cooperation and understanding. Additionally, it allows all parties to address operational issues and problems to determine mutually acceptable solutions.

## **ADM.15.02 RESERVED**

**ADM.15.03** The agency identifies the services and resources available through both public and private service agencies and makes such information available to agency personnel.

**COMMENTARY:** *Identifying services and resources available to the public allows law enforcement personnel to refer citizens in need of such services for appropriate assistance. Examples of public service agencies might be social services, health departments, etc. Examples of private service agencies might be the Red Cross, Salvation Army, Missions, Shelters, crisis centers, etc.*

## **BUDGET AND FISCAL MANAGEMENT**

**ADM.16.01** A written directive governs procedures for the requisition and purchase of agency equipment and supplies to include, at a minimum:

- a. specifications for items requiring standardized purchases;
- b. bidding procedures;
- c. criteria for the selection of vendors and bidders;
- d. procedures for the emergency purchasing or rental agreements for equipment;
- e. procedures for requesting supplemental or emergency appropriation and fund transfer; and
- f. procedures for contracts such as maintenance and service agreements.

**ADM.16.02** The agency uses an accounting system that includes approval of each account, and, at a minimum, provisions for monthly status reports showing:

- a. initial appropriation for each account (or program);
- b. balances at the commencement of the monthly period;
- c. expenditures and encumbrances made during the period; and
- d. unencumbered balance.

**ADM.16.03** A written directive governs the maintenance of all cash funds or accounts where agency personnel is permitted to receive, maintain, or disburse cash and includes, at a minimum:

- a. a balance sheet, ledger, or another system that identifies initial balance, credits (cash income received), debits, (cash disbursed), and the balance on hand;
- b. receipts or documentation for cash received;
- c. authorization for cash disbursements, including CEO authorization for expenses more than a given amount;
- d. records, documentation, or invoice requirements for cash expenditures;
- e. persons or positions authorized to disburse or accept cash;
- f. quarterly accounting of agency cash activities; and
- g. procedures for an independent audit of the agency's fiscal activities.

## **PROPERTY AND EVIDENCE CONTROL**

**ADM.17.01\*** A written directive establishes procedures for receiving all in-custody and evidentiary property obtained by employees within agency control to include:

- a. requiring all property to be logged into agency records and placed under the control of the property and evidence control function before the officer ends his/her tour of duty;

- b. requiring a written report detailing the circumstances by which the property came into the agency's possession and describing each item of property obtained;
- c. providing guidelines for the packaging and labeling of the property before storage;
- d. establishing extra security measures for handling exceptional, valuable, or sensitive items of property; and
- e. requiring an effort to identify and notify the owner or custodian of property in the agency's custody.

**ADM.17.02\*** A written directive establishes procedures for property and evidence storage to include: (Observable)

- a. requiring all in-custody property and evidence to be stored within designated, secure areas;
- b. requiring secure facilities to be provided for storage of in-custody or evidentiary property during periods when the property room is closed;
- c. requiring that only authorized personnel have access to areas used by the agency for storage of in-custody or evidentiary property;
- d. requiring the maintenance of records which reflect the status of all property held by the agency; and
- e. establishing procedures for the temporary and final release of property items from the control of the property and evidence function.

**ADM.17.03\*** The following inspections and reports shall be completed:

- a. at least quarterly, the person responsible for the property and evidence control function, or his or her designee, inspects for adherence to procedures used for the control of property;
- b. whenever the primary property manager is assigned or transferred from the property and evidence control function, an inventory of property, to ensure that records are correct and properly annotated, is conducted jointly by the newly designated property custodian and a designee of the CEO;
- c. an annual audit of property and evidence held by the agency is conducted by an employee not routinely or directly connected with property control; and
- d. unannounced inspections of property and evidence storage areas are conducted as directed by the agency's chief executive officer.

***COMMENTARY:*** *The integrity of the property section is vital to the chain of evidence. Audits should be comprehensive and should be conducted by an employee who has received training in the area of audits and inspections.*

**ADM.17.04\*** A written directive describes the final disposition of found, recovered, and evidentiary property is accomplished within ninety days after legal requirements have been satisfied and in accordance with §29-1-14 NMSA.

***COMMENTARY:*** *Prompt, authorized property removal (final disposition or destruction) prevents an overload on the property management system and reduces the requirement for additional storage space. Also, the lack of prompt disposition procedures further deprives owners of the use of their property.*

**ADM.17.05** A written directive describes the procedure for the handling and submission of sexual assault evidence kits (SAEK).

- a. Prescribes how the agency handles a sample of biological material collected pursuant to a medical examination of a sexual assault victim who reported the sexual assault to the agency.
- b. Requires the agency to send the biological sample collected in sexual assault evidence kit to a crime lab for DNA test within thirty days of receipt of the sample.

***COMMENTARY:*** The directive should describe how the agency collects and stores the SAEK and when it will be submitted to the crime lab per NMSA 30-9-19.

## **CONTRACT SERVICES**

**ADM.18.01** If paid law enforcement services, other than off-duty employment, are provided by the agency, the agency has a written contract detailing the terms of such services to include:

- a. a detailed description of the specific service(s) to be provided;
- b. financial terms of the contract;
- c. records to be maintained by the agency;
- d. duration, modification, and termination of the contract;
- e. liability issues;
- f. a stipulation that supervision and control of agency personnel will remain with the agency; and
- g. arrangements for the use of agency equipment and facilities.

***COMMENTARY:*** The elements of contract law enforcement services should be identified in a written agreement. The contract should define the nature and extent of the services to be provided, such as financial terms, records to be maintained, duration, modification, and termination of the contract, control of agency personnel, use of agency owned equipment and facilities, and liability issues.

## **INTERNAL AFFAIRS**

**ADM.19.01\*** A written directive establishes the agency's internal affairs function. (Written Directive Only)

***COMMENTARY:*** The written directive should establish the administration of internal affairs matters to create a process to ensure the integrity of the agency. The goal of internal affairs is to ensure that the integrity of the agency is maintained through an internal system where objectivity, fairness, and justice are assured by intensive and impartial investigation and review.

**ADM.19.02** A written directive specifies the activities of the internal affairs function to include:

- a. recording, registering, and controlling the investigation of complaints against members of the agency;
- b. supervising and controlling the investigation of alleged or suspected misconduct within the agency, either as a criminal or administrative matter, or both; and

- c. maintaining the confidentiality and security of the internal affairs investigation and records.

**COMMENTARY:** *It should be the policy of the agency that all allegations of employee misconduct be appropriately investigated and promptly adjudicated. Additionally, all reports or accusations made against members of the agency, or the agency in general, from all sources, should be completely investigated to ensure the integrity of the agency and its members.*

**ADM.19.03\*** A written directive specifies the categories of complaints that require investigation by the internal affairs function. (Written Directive Only)

**COMMENTARY:** *The standard is intended to provide guidelines regarding which categories of complaints are to be handled by the internal affairs function or as a part of routine discipline. The criteria for determining the categories of complaints to be referred to the internal affairs function may include allegations of corruption, brutality, use of force, breach of civil rights, or criminal misconduct. Criteria for assignment of the investigation of the complaint to line supervisors may include, for example, alleged rudeness on the part of the employee, tardiness, or insubordination.*

**ADM.19.04** A written directive designates a position or individual within the agency as responsible for the internal affairs function with authority to report directly to the agency's chief executive officer.

**COMMENTARY:** *This standard should ensure accountability and unity of command. The sensitivity and impact of internal affairs matters on the direction and control of an agency require that the agency's chief executive officer receive all pertinent information directly.*

**ADM.19.05\*** Written directives relating to the administration of the internal affairs function are disseminated to all personnel.

**COMMENTARY:** *In the interest of preserving discipline and enhancing self-discipline within the agency, each employee must understand and be guided by the directives mentioned in this standard. Individuals should receive updated copies of these directives whenever changes are published.*

**ADM.19.06\*** When employees are notified that they have become the subject of a formal internal affairs investigation, the agency provides the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation. The agency also notifies the complainant concerning the status of complaints against the agency or its employees.

- a. Provide the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation.
- b. Notifies the complainant concerning the status of complaints against the agency or its employees.

**COMMENTARY:** *The actions described in this standard should be taken in the interest of organizational integrity and fairness to employees, and to promote community relations by communicating the status of the complaint to the complainant. Compliance with this standard is subject to state statute 29-14-4 NMSA.*

**ADM.19.07** A written directive requires the agency to record, investigate, and adjudicate all complaints against the agency or employees of the agency.

- a. Verbal Complaints
- b. Complaints submitted through Social Media
- c. Written Complaints

***COMMENTARY:*** The purpose of this standard is to require a complaint to be recorded and investigated. On occasion, malicious and deliberate false accusations are made against the agency or its employees. These accusations should be investigated to protect the integrity of the agency or the employees, thereby instilling public confidence in the agency. In some cases, the extent of the investigation may be limited to substantiating the falsity of the accusations. All complaints will be accepted, whether it be anonymous, verbal, written or through social media.

**ADM.19.08\*** Records about internal affairs investigations are maintained in a secure area, by the individual responsible for the internal affairs function. (Observable)

***COMMENTARY:*** The purpose of this standard is to protect the confidentiality of all records associated with the investigative reports and documents related to internal affairs cases.

**ADM.19.09\*** The agency makes available information to the public on procedures to be followed in registering complaints against the agency or its employees.

***COMMENTARY:*** Procedures for registering complaints should be made available to the community through the media or the agency's community relations programs. This information should also be disseminated to all agency employees.

## **INSPECTIONAL SERVICES**

**ADM.20.01** A written directive specifies the agency's inspectional process and includes, at a minimum:

- d. procedures to be used in conducting both line and staff inspections;
- e. the frequency of line and staff inspections;
- f. identity, authority, and responsibilities of person(s) conducting line and staff inspections;
- g. criteria to identify those inspections that require a written report; and
- h. follow-up procedures to ensure noted deficiencies are corrected.

***COMMENTARY:*** The inspectional process is an essential mechanism for evaluating the agency's operations, ensuring that the agency's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the agency. Generally, line inspections focus on the conditions of facilities, equipment, procedures, uniforms, vehicles, etc. and are frequently done by a line supervisor. Staff inspections generally focus on agency procedures and are infrequently done by staff personnel. For example, a line inspection may determine if patrol officers are checking their vehicles at the beginning of their shift where a staff inspection may look at an entire division to determine if it is accomplishing its assigned mission or meeting its goals.

## COMMUNITY RELATIONS

**ADM.21.01** The community relations function provides the following at a minimum:

- a. establishing liaison with formal community organizations and other community groups;
- b. informing all personnel that they are responsible for achieving the agency's community relations objectives; and
- c. developing community relations policies for the agency as a whole;

***COMMENTARY:** The standard is intended to establish agency accountability for the community relations function in writing. Law enforcement agencies should establish direct contacts with the community served. Without "grassroots" community support, successful enforcement of many laws may be difficult, if not impossible. A well-organized community relations function can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency policies accurately reflect the needs of the community.*

**ADM.21.02** At least annually, the agency prepares a report that includes, at a minimum, the following elements:

- a. a description of the concerns voiced by the community;
- b. a description of potential problems that have a bearing on law enforcement activities within the community; and
- c. a statement of recommended actions that address previously identified concerns and problems.

***COMMENTARY:** These concerns and problems should, at a minimum, be communicated to the chief executive officer, both to provide information on conditions in the community and to allow the chief executive officer to react promptly to alleviate concerns and avert problems.*

**ADM.21.03** A survey of citizen attitudes and opinions is conducted at a minimum of every two years concerning:

- a. overall agency performance;
- b. overall competence of agency employees;
- c. officers' attitudes and behavior toward citizens;
- d. concern over safety and security within the agency service area as a whole; and
- e. recommendations and suggestions for improvements.

***COMMENTARY:** The survey may be conducted by mail, in person, or by telephone and results of the survey may be provided to the community. (This standard is optional.)*

## CRIME PREVENTION

**ADM.22.01** The agency's crime prevention function provides for the following:

- a. targeting programs by crime type and geographic area on the basis of an analysis of local crime data;

- b. targeting programs to address the public safety needs of the community;
- c. evaluating the effectiveness of crime prevention programs;
- d. assisting in organizing crime prevention groups in residential and business areas targeted for such activities; and
- e. maintaining liaison with these and other interested community groups.

**COMMENTARY:** Preventing crime demands an integrated, coordinated agency response. Therefore, for a crime prevention function to meet its goals, it should maintain close ties with those other functions that support, and make possible, the furtherance of the crime prevention effort, especially the patrol officers engaged in field assignments. That an agency is small does not exempt it from seeking a reasonable balance between its reactive and proactive (crime prevention) functions. The agency should establish priorities for action. On the basis of pertinent data, the agency should decide which crime types present the greatest problem, where the problems are most severe, where crime prevention activities could be most productive, and what types of programs would be most effective in combating crime, including the communities' perceptions or misperceptions of crime. Persons conducting evaluations should consider developing specific criteria necessary to measure program effectiveness and recognize ancillary benefits, constructing instruments that accurately collect information on the program, and soliciting the viewpoints of citizens on the prevalence of crime and the effectiveness of the agency's crime prevention programs.

**ADM.22.02** If granted the opportunity by the jurisdiction's governing authority, the agency provides crime prevention input into the development or revision of zoning policies, building codes, fire codes, and residential/commercial building permits.

**COMMENTARY:** The agency should become proactively involved in this process as an integral element in ensuring that crime prevention concerns, from the law enforcement perspective, are addressed before legal enactment or construction.

## **PUBLIC INFORMATION**

**ADM.23.01** A written directive establishes the public information function to include at a minimum:

- a. identifying personnel within the agency authorized to make news releases;
- b. assisting news media personnel in covering news stories at the scene of incidents;
- c. preparing and distributing agency news releases;
- d. arranging for, and assisting at news conferences;
- e. being available for on-call responses to the news media;
- f. coordinating and authorizing the release of information concerning victims, suspects, and witnesses;
- g. coordinating and authorizing the release of information concerning on-going agency investigations and operations; and
- h. procedures for releasing information when other service agencies are involved in a mutual effort.

**COMMENTARY:** Agencies have an obligation to inform the public and news media of events that affect the lives of citizens in their communities with openness and candor. The standard is intended to establish accountability for the public information function and to provide guidelines to all



*agency personnel regarding the release of information on agency activities or investigations which may jeopardize the outcome of such activities or investigations or conflict with applicable legal requirements or restrictions.*

**ADM.23.02** A written directive controls the access of news media representatives to the scene of major fires, natural disasters, or other catastrophic events, and the perimeter of crime scenes. (Written Directive Only)

***COMMENTARY:*** *The directive should address media access to the scenes of incidents in accordance with existing legal requirements or restrictions. The intent of this standard is to ensure that media access to incident scenes does not obstruct law enforcement officers in the performance of their duties.*

**ADM.23.03** A written directive establishes guidelines for employees regarding compliance with the Inspection of Public Records Act (§14-2-1 NMSA) to include at a minimum:

- a. a designated point of contact within the agency to handle third-party requests for information;
- b. maximum time limits for providing requested information;
- c. calculating the charges for information provided; and
- d. circumstances under which the information may be withheld.

## **VICTIM/WITNESS SERVICES**

**ADM.24.01\*** A written directive summarizes the rights of victims and witnesses. (Written Directive Only)

***COMMENTARY:*** *31-26-1 through 31-26-14 NMSA establishes minimum standards for relating to crime victims and witnesses.*

**ADM.24.02\*** A written directive defines victim/witness services to be rendered during the preliminary investigation, to include:

- a. giving information to the victim/witness about applicable services such as medical services, compensation programs, counseling, legal services, etc.;
- b. advising victims/witnesses about what to do if the suspect or suspect's companions or family threatens or otherwise intimidates him or her;
- c. informing victims/witnesses about the case number and subsequent steps in the processing of the case;
- d. providing the telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case;
- e. petitioning for an emergency protective order by the officer, if necessary; and
- f. providing for transportation for victims to safe places or medical facilities.

***COMMENTARY:*** *Much of the information for victim/witness services can be placed on a card and given to the victim/witness by the preliminary investigating officer.*

**ADM.24.03** A written directive specifies victim/witness assistance services to be provided during the follow-up investigation, if any, to include at a minimum:

- a. if not detrimental to the successful prosecution of the case, explaining to the victim/witness the procedures involved in their case and their role in those procedures;
- b. if feasible, scheduling line-ups, interviews, and other required appearances at the convenience of the victim/witness, and, at the option of the agency, providing transportation; and
- c. if feasible, promptly returning victim/witness property taken as evidence (except contraband, disputed property, and weapons used in the course of the crime), where permitted by law or rules of evidence.

***COMMENTARY:*** *In most cases, these services should be provided by the investigating officer/investigator.*

**ADM.24.04** A written directive specifies victim/witness services to be provided to agency personnel and their families following line-of-duty deaths or serious injuries. (Written Directive Only)

***COMMENTARY:*** *Appropriate agency-provided services include: notifying the family of the dead or injured officer in a timely, personal manner, assisting at the hospital, supporting the family at the funeral and burial, helping the family with legal and benefit matters, supporting the family during criminal proceedings, if any, and maintaining long-term contact with the family.*

## **COMMUNICATIONS**

***If your Communications Center is Accredited, then this section would be all “If” Standards. If your Communications Center is NOT Accredited, then you must meet all the Standards in the Communications Section.***

**ADM.25.01** A written directive specifies a position in the agency responsible for the communications function.

***COMMENTARY:*** *The purpose of this standard is to place accountability for the communications function within the agency's organizational structure.*

**ADM.25.02** A written directive establishes the agency's communication function, to include: (observable)

- a. radio communications;
- b. telephone communications;
- c. teletype and automated data communications; and
- d. alarm monitoring (if applicable.)

***COMMENTARY:*** *The written directive should establish these functions and specify activities associated with each. In small agencies, one person may be responsible for all functions. In larger agencies, these functions may be separated and staffed accordingly.*

**ADM.25.03** A written directive requires that the agency's radio operations be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

**ADM.25.04** The agency provides 24-hour, toll-free telephone access for emergency calls for service.

*COMMENTARY: The public should be able to contact the law enforcement agency at all times for information or assistance that may be needed in emergencies.*

**ADM.25.05** A written directive establishes procedures for recording, maintaining, and purging relevant information of each request for service, to include:

- a. control number;
- b. date and time of request;
- c. name and address of complainant (if possible);
- d. type of incident reported;
- e. location of the incident reported;
- f. identification of officer(s) assigned as primary and backup;
- g. time of dispatch;
- h. time of officer arrival;
- i. time of officer return to service;
- j. disposition or status of the reported incident; and
- k. CAD equipped agencies must include a retention schedule for data captured by the computer system.

**ADM.25.06** A written directive establishes procedures for radio communications, to include:

- a. specifications of the circumstances requiring radio communications by field officers;
- b. the recording of the status of officers when out of service;
- c. the methods used for identifying officers during radio transmissions;
- d. communications with interacting agencies;
- e. criteria for the assignment of the number of officers in response to an incident; and
- f. circumstances that require the presence of a patrol supervisor at the scene to assume command.

**ADM.25.07** Communications personnel have immediate access to at least the following departmental resources: (Observable)

- a. the officer in charge;
- b. duty roster of all personnel;
- c. the residential telephone number of every agency member;
- d. visual maps detailing the agency's service area;
- e. officer status information;
- f. written procedures and telephone numbers for procuring emergency and necessary external services to the agency; and

**ADM.25.08** A written directive specifies security measures for the communications center, to include: (Observable)

- a. limiting access;
- b. protecting equipment; and
- c. providing for backup resources.

**COMMENTARY:** *The capability to maintain communications in all emergencies dictates security measures be implemented that protect communications personnel and equipment.*

**ADM.25.09** The communications component maintains the capability of immediate playback of recorded telephone and radio conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the communications center. The written directive establishes the following: (Observable)

- a. the retention of audio records for a minimum of thirty days;
- b. secure handling and storage of audio records; and
- c. criteria and procedures for reviewing recorded conversations.

**COMMENTARY:** *These recordings are an indispensable source for criminal investigations, training, and audits of the agency's service delivery system. Access to secure recordings should be limited and available only through a specific procedural method.*

**ADM.25.10** The agency has an alternate source of electrical power that is sufficient to ensure continued operation of emergency communications equipment in the event of the failure of the primary power source.

**COMMENTARY:** *In the event of a disruption of the primary power source, the agency should ensure continuous emergency communications capability through an alternate power source, usually a generator. The operational readiness of the alternate source of power should be ensured by schedule and continuous testing.*

## **RECORDS**

**ADM.26.01** A written directive requires the reporting of every incident in one or more of the following categories if the incident is alleged to have occurred in the agency's service area:

- a. citizen reports of crimes;
- b. citizen complaints;
- c. when an employee is dispatched or assigned;
- d. criminal and non-criminal cases initiated by law enforcement employees; and
- e. incidents involving arrests, citations, or summonses.

**COMMENTARY:** *A record should be made of actions taken by New Mexico law enforcement personnel whether in response to a request for service or self-initiated actions. The directive should establish procedures to ensure that proper action is taken to investigate complaints, evaluate suggestions, and correct deficiencies or refer them to proper authorities for correction.*

**ADM.26.02** The agency's criminal record system must:

- a. be compatible with the requirements of the Department of Public Safety Central Criminal Records; and
- b. have records accessible 24 hours a day.

**COMMENTARY:** *Participation in the national Uniform Crime Reporting/Incident-Based Reporting system helps promote the development of good record keeping and aids in the effort to establish a national database of crime statistics. The standard would be satisfied if the agency reports data via the Department of Public Safety Criminal Records Exchange, for subsequent inclusion in the national system, and supplied 24-hour access to records.*

**ADM.26.03** A written directive establishes privacy and security precautions for the agency's records, and at a minimum, includes the following: (Observable)

- a. physical security and controlling access to agency files; and
- b. procedures and criteria for the release of agency records.
- c. Access control to law enforcement networks and databases through passwords, token, key cards, or similar devices.

**COMMENTARY:** *The privacy and security precautions for the central records function should be in accord with agency policy, local ordinance, and New Mexico State statutes. The agency specifically identifies juvenile criminal and identification records, to prevent their unauthorized access and release. The procedures should also provide guidelines for the disposition of juvenile records when the juvenile reaches adult age and the expungement of records when ordered by the court.*

#### **ADM.26.04** - Reserved

**ADM.26.05** If the agency is automated, the following files are maintained:

- a. incidents by type;
- b. incidents by location; and
- c. stolen, found, recovered and evidentiary property file.

**ADM.26.06** A written directive establishes a numbering system, with provisions for the assignment of a unique number to every agency-identified incident.

**COMMENTARY:** *A single numbering series (case or incident number) should be employed for all incidents of law enforcement service.*

**ADM.26.07** A written directive establishes a field reporting system to include:

- a. guidelines when reports must be written;
- b. forms to be used in field reporting;
- c. procedures for completing field and crash reports; and
- d. procedures for submitting and processing.

**COMMENTARY:** *This directive may be in the form that describes and illustrates the information to be included on report forms. The document should be all-inclusive and serve as the training and*

*reference guide. A suggested set of field reporting forms would include the following: Offense Report; Supplemental Report; Traffic Crash Report; Arrest Report; Property Report; Prosecution Report; and Miscellaneous Incident Report. The forms may be more specialized than those listed (e.g., crimes against persons, crimes against property); however, those listed represent a fairly complete set.*

**ADM.26.08** A written directive establishes criteria for recording arrest information on all reportable offenses, to include:

- a. assigning an arrest or case number to each person arrested;
- b. creating a criminal history file for each person under custodial arrest;
- c. preparing reports;
- d. fingerprinting; and
- e. photographing.

***COMMENTARY:*** *The written directive should specify those offenses for which fingerprints and photographs are required. Additionally, the directive should provide guidance for keeping existing file information current for persons subsequently arrested (e.g. address, photograph.)*

**ADM.26.09** The agency has a traffic records system or access to a comparable system containing:

- a. traffic accident data (reports/investigations/locations);
- b. traffic enforcement data (citations/arrests/dispositions/locations);
- c. roadway hazard reports; and
- d. traffic accident and enforcement analysis reports.

***COMMENTARY:*** *The traffic records system should provide accurate information to field personnel who are performing primary traffic functions and provide compilations of data upon which management decisions may be based. Some of the required data may be collected and disseminated by other State or local agencies. The directive should govern how the records are processed, maintained, and distributed. The records file should contain the locations of all traffic accidents and citations to provide a ready reference for accident/enforcement data related to specific intersections or segments of highway. Ancillary information, such as traffic safety reports, traffic volume data, and traffic distribution reports may also be kept in the system.*

**ADM.26.10** A written directive establishes procedures for maintaining a warrant and wanted persons' file, to include:

- a. establishing criteria for entering notices in regional, state, and federal information systems;
- b. establishing criteria for receiving information from other jurisdictions;
- c. recording the information in agency files;
- d. verifying information;
- e. canceling information; and
- f. 24-hour access to the warrant section.

***COMMENTARY:*** *Warrants and the master name index should be cross-referenced. Some agencies may place this responsibility with central records; others may have specialized functions*

*such as warrant and fugitive or civil process units. If the agency is accomplishing the requirements in any fashion, it is sufficient for compliance with all standards.*

**ADM.26.11** The agency has a records retention schedule. (Proof Only)

***COMMENTARY:*** *The records retention schedule should be consistent with legal requirements.*

**ADM.26.12** A written directive establishes procedures for the distribution of reports and records.

***COMMENTARY:*** *The directive should specify which reports should be routed to the various specialized functions or organizational components for follow up, and those to be distributed outside the agency.*

## **SEX OFFENDER REGISTRATION AND NOTIFICATION**

**ADM.27.01**\* If the agency does sex offender registration, a written directive establishes procedures that govern sex offender registration and notification requirements and processes.

***COMMENTARY:*** *The directive should describe the agency's role and responsibilities relating to the Sex Offender Registration and Notification Act (§§29-11A-1 thru 29-11A-8).*

## **SOCIAL MEDIA**

**ADM.28.01**\* A written directive defines the authority, guidelines, and circumstances when sworn personnel may or may not be authorized to be involved in social networking.

## **AGENCY PROPERTY**

**ADM.29.01**\* A written directive designates that maintaining stored agency property in a state of operational readiness is a responsibility of the person or unit to which the property is assigned. (Observable)

**ADM.29.02**\* A written directive describes the procedure for maintenance of inventory for all capital assets within agency control.

# OPERATIONS

<b>Patrol</b>	<b>OPR.01.01-01.10</b>
<b>Criminal Investigations</b>	<b>OPR.02.01-02.06</b>
<b>Organized Crime/Vice</b>	<b>OPR.03.01-03.06</b>
<b>Juvenile Operations</b>	<b>OPR.04.01-04.05</b>
<b>Unusual Occurrences</b>	<b>OPR.05.01-05.09</b>
<b>Special Operations</b>	<b>OPR.06.01-06.06</b>
<b>Traffic</b>	<b>OPR.07.01-07.16</b>
<b>Prisoner/Patient Transport</b>	<b>OPR.08.01-08.06</b>
<b>Restraints</b>	<b>OPR.09.01</b>
<b>Jails/Interview Rooms</b>	<b>OPR.10.01-10.06</b>
<b>Court Security</b>	<b>OPR.11.01-11.06</b>
<b>Legal Process</b>	<b>OPR.12.01-12.04</b>
<b>Domestic Violence</b>	<b>OPR.13.01</b>
<b>Body Worn Cameras</b>	<b>OPR.14.01</b>
<b>Recording of Police Activity</b>	<b>OPR.15.01</b>
<b>Naloxone (Narcan)</b>	<b>OPR.16.01</b>
<b>Tourniquets</b>	<b>OPR.17.01</b>
<b>Interview Room</b>	<b>OPR.18.01</b>



## PATROL

**OPR.01.01\*** A written directive establishes procedures for responding to routine and emergency calls and includes guidelines for the use of authorized emergency equipment.

**OPR.01.02\*** Law enforcement vehicles used in routine or general patrol service must be conspicuously marked and equipped with at least a siren and emergency lights in operational order, and constant radio communication. (Observation)

*COMMENTARY: In the event of unusual circumstances, unmarked vehicles may be substituted for marked vehicles on a temporary emergency basis.*

**OPR.01.03\*** If unmarked vehicles are used for traffic enforcement, they must be equipped with a siren and emergency lights in operational order, and constant radio communication. (Observation)

**OPR.01.04\*** A written directive requires the use of seatbelts in agency vehicles. (Written Directive Only)

**OPR.01.05** A written directive requires protective vests (body armor) to be issued to all officers and requires all officers assigned to routine uniformed field duty to wear a protective vest when on duty. (Observable)

**OPR.01.06** If the agency operates on a shift schedule, procedures provide for continuous coverage during shift changes.

**OPR.01.07** A written directive specifies procedures for:

- a. assignments to operational shifts;
- b. the frequency of shift rotation, if any;
- c. assignment to beats, if any; and
- d. the frequency of beat rotation, if any.

**OPR.01.08** If the agency has, or uses, any special purpose vehicles, horses or canine teams, a written directive governs their operation and includes at a minimum:

- a. a statement of the objective of their operation or usage;
- b. qualifications and training for personnel authorized to operate and maintain the vehicle and its equipment or control and care of the animal if agency owned; and
- c. a listing of equipment, if any, to be kept in or on the vehicle or required for the animal if agency owned.

**OPR.01.09\*** A written directive governs the safe pursuit act of motor vehicles to include:

- a. evaluating the circumstances;
- b. initiating officer responsibilities;
- c. secondary unit's responsibilities;
- d. dispatcher's responsibilities;

- e. supervisor's responsibilities;
- f. forcible stopping/roadblock (see Use of Force policy);
- g. inter- and intra-jurisdictional pursuits;
- h. when to terminate pursuit; and
- i. procedure for administrative review of the pursuit as soon as possible.

**COMMENTARY:** *The agency must balance the necessity for pursuit or apprehension against the possibility and severity of damage or injury that may result. Safe Pursuit Act NMSA 29-20-1 thru 29-20-4*

**OPR.01.10** The Agency has a written directive governing bias-based profiling and, at a minimum, includes the following provisions:

- a. the prohibition against bias-based profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts;
- b. training agency enforcement personnel in bias-based profiling issues including legal aspects;
- c. corrective measures if bias based profiling occurs; and
- d. an annual administrative review of agency practices including citizen concerns.

**COMMENTARY:** *Profiling in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias-based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups.*

*Law Enforcement agencies should not condone the use of any bias-based profiling in its enforcement programs as it may lead to allegations of violations of constitutional rights of citizens we serve, undermines the legitimate law enforcement efforts and may lead to complaints of civil rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, invites media scrutiny, legislative action, and judicial intervention.*

*Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity, or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others. Annually, the agency should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.*

## **CRIMINAL INVESTIGATIONS**

**OPR.02.01** A written directive establishes steps to be followed in conducting preliminary investigations, to include:

- a. documenting pertinent conditions, events, and remarks;
- b. maintaining and protecting the crime scene and arranging for the collection of evidence;
- c. locating and identifying victims and witnesses; and
- d. interviewing the complainant and witnesses, and interviewing the suspect.

**OPR.02.02** The agency uses a case screening system and specifies the criteria for continuing or suspending an investigative effort. (Written Directive Only)

**OPR.02.03** A written directive establishes procedures to be used in follow-up investigations, to include:

- a. reviewing preliminary investigation reports;
- b. conducting additional interviews and interrogations;
- c. preparing case files;
- d. collecting and preserving physical evidence;
- e. identifying and apprehending suspects; and
- f. assisting in the prosecution of the case.

**OPR.02.04** A written directive establishes a case file management system for the criminal investigation function, to include:

- a. a case status control system;
- b. a case coordinator for each case;
- c. the types of records to be maintained;
- d. rules defining accessibility to the files; and
- e. rules for purging of the files.

**OPR.02.05** If the criminal investigation function does not provide 24-hour coverage, an "on-call" system ensuring access to an investigator(s) is maintained. (Proof Only)

**OPR.02.06** A written directive specifies policies and procedures to be followed when using paid informants, to include:

- a. the inclusion of informants in a master file;
- b. the content of the informant file, to include biographical and background information; criminal history record, if any; and code name or number of each informant;
- c. maintenance of an informant file;
- d. security of informant file and related codes;
- e. other methods to protect the identity of informants;
- f. criteria for paying informants, if applicable;
- g. precautions to be taken with informants, generally;
- h. special precautions to be taken with juvenile informants; and
- i. procedures for the use of informants by patrol officers.

## **ORGANIZED CRIME AND VICE CONTROL**

**OPR.03.01** A written directive specifies procedures for receiving, processing, and investigating vice, drug, and organized crime complaints.

***COMMENTARY:** The agency should establish policies and procedures for ensuring that complaints received are recorded and investigated to the fullest extent possible.*

**OPR.03.02** Records and reports relating to active vice, drug, and organized crime investigations are securely filed and maintained separately from the central records system. (Observable)

***COMMENTARY:*** *The undercover work involved in the investigation of vice, drug, and organized crime cases, and the sensitive information developed should necessitate the secure filing and maintenance of records and reports.*

**OPR.03.03** The agency has a system for the authorization, distribution, and use of any surveillance or undercover equipment owned or issued to the agency.

***COMMENTARY:*** *The intent of this standard is to establish a system of controls to prevent the unauthorized use and loss of often expensive and sophisticated surveillance equipment.*

**OPR.03.04** A written directive establishes procedures for advising the Chief Executive Officer of vice, drug, and organized crime activities.

**OPR.03.05** A written directive specifies procedures for conducting vice, drug, and organized crime surveillance, undercover, decoy, and raid operations.

***COMMENTARY:*** *This standard intends to have contingency procedures for all types of operations, including provisions for the following:*

- a. familiarizing officers with the objective and details of the operation, the neighborhood, or target area;*
- b. determining operational procedures for observation, arrests, surveillance, and high-risk entries;*
- c. providing relief, backup security, and perimeter protection for officers;*
- d. supplying officers with false identities, disguises, and necessary credentials;*
- e. maintaining overall confidentiality and cover;*
- f. designating a single person as supervisor and coordinator;*
- g. searching for and seizing evidence or contraband;*
- h. requesting medical assistance; and*
- i. constant radio communications capability.*

**OPR.03.06** A written directive identifies forfeiture action seizure procedures and the position in the agency responsible for the agency's asset forfeiture program, to include the following:

- a. responsibility for the effective processing of paperwork;
- b. responsibility for the management of property seized and stored under asset seizure laws;
- c. responsibility for monitoring the proceeds from forfeited assets; and
- d. responsibility for compliance with State and Federal guidelines for asset forfeiture.

***COMMENTARY:*** *The coordinator should establish a working relationship with other offices such as the District Attorney's Office, Department of Taxation, Clerk of the Courts, and state agencies such as the Department of Motor Vehicles. Refer to DCJS Forfeited Asset Sharing Manual, New Mexico State Statute, and Federal Codes and guidelines.*

## **JUVENILE OPERATIONS**

**OPR.04.01** A written directive establishes the agency's juvenile operations, and includes, at a minimum, the following:

- a. a statement that the agency is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency; and
- b. a statement that the responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel.

*COMMENTARY: This standard intends to establish accountability for the juvenile function in writing. The function should be developed and operated to meet agency needs effectively. Proving compliance with this standard may be accomplished through a series of documents, or a single, all-inclusive directive.*

**OPR.04.02\*** A written directive requires that officers dealing with juvenile offenders use the least coercive among reasonable alternatives and includes, at a minimum, provisions for the following:

- a. outright release with no further action;
- b. criteria and procedures for issuing citations or summonses to juvenile offenders to appear at intake instead of taking them into custody; and
- c. referral to juvenile court.

**OPR.04.03\*** The agency has written procedures for taking a juvenile into custody, including, at a minimum, provisions for the following:

- a. determining whether the juvenile is alleged to have engaged in non-criminal misbehavior (a status offense);
- b. determining whether the juvenile is alleged to have been harmed or to be in danger of harm;
- c. ensuring that the constitutional rights of juveniles are protected;
- d. bringing the juvenile to the intake facility or the juvenile component without delay (unless the juvenile is in need of emergency medical treatment); and
- e. notifying parents or guardians of juveniles of the fact that they have been taken into custody.

**OPR.04.04\*** A written directive governs procedures for the custodial interrogation of juveniles, to include provisions for the following:

- a. conferring with parents or guardians;
- b. limiting the duration of interrogation and the number of officers engaging in the interrogation; and
- c. explaining agency and juvenile justice system procedures to juveniles being interrogated.

**OPR.04.05** If the agency has a school liaison program, it incorporates the following:

- a. acting as a resource concerning delinquency prevention;
- b. providing guidance on ethical issues in a classroom setting;
- c. providing individual counseling to students; and
- d. explaining the law enforcement role in society.

**COMMENTARY:** School liaison programs can also provide a forum through which students, parents, faculty, and law enforcement officers can become acquainted and, as a result, earn mutual respect. Visits to schools by liaison officers should be frequent (at least once a week), and efforts should be taken to have the same officer serve, on an ongoing basis, the same school so that students can come to recognize and identify with a particular liaison officer.

## UNUSUAL OCCURRENCES

**OPR.05.01** The agency has access to a written plan for responding to natural and man-made disasters.

**COMMENTARY:** The plan should include the following: communications; situation maps; field command posts; chain of command (to include other agencies); casualty information; community relations/public information (media briefings); other agency support; military support (martial law); public facility security; traffic control; equipment requirements; de-escalation procedures; rumor control; post-occurrence (aftermath) duties; after-action reports; and transportation. Of particular importance is the unified command of personnel from other agencies responding to the unusual occurrence.

**OPR.05.02** The agency has access to a written plan for responding to civil disturbances and emergency situations at a correctional or other institution.

**COMMENTARY:** The plan should include: communications; situation maps; field command posts; chain of command (to include other agencies); community relations/public information (media briefings); court and/or prosecutorial liaison and other legal considerations; other law enforcement agency support; military support (martial law); public facility security; traffic control; equipment requirements; post-occurrence (aftermath) duties; after-action reports; and transportation.

**OPR.05.03** The agency has a civil disturbance plan that includes provisions for carrying out mass arrests.

**COMMENTARY:** The plan should include provisions for: arrest/processing/confinement procedures (to include booking); juvenile offenders; transportation; detention facilities; evidence collection; security; identification; interagency agreements; defense counsel visits; court and prosecutorial liaison; media relations/public information; food, water, and sanitation; and medical treatment.

**OPR.05.04** The agency has a written plan for handling a hostage/barricaded person situation.

**COMMENTARY:** Guidelines for hostage/barricaded person situations should be developed and tested prior to their use and could include the following provisions: attempting to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and/or hostage negotiation personnel; notification of tactical and hostage negotiation personnel, if these functions exist; interaction between tactical and hostage negotiation personnel and the responsibilities of each; notification of appropriate persons within and outside the agency; communications with other agencies; establishment of inner and outer perimeters; evacuation of bystanders; evacuation of injured persons; establishment of a command post and appropriate chain

*of command; request for ambulance, rescue, fire, and surveillance equipment; authorization for news media access and news media policy; authorization for use of force and chemical agents; use of trained negotiation and support staff; pursuit/surveillance vehicles and control of travel routes; and after-action reports. Once in effect, the guidelines should be subject to annual review and any necessary modification.*

**OPR.05.05** The agency has a written plan for handling a bomb threat or bomb emergency which must include access to a bomb disposal unit.

***COMMENTARY:** The bomb threat or bomb emergency plan should include, at a minimum, the role of personnel in ascertaining details from the bomb threat caller; notification of persons in the agency chain of command; establishment of a security perimeter; organization of search teams; search procedures; and, equipment required by search teams. If a suspected device is located, notification of bomb disposal personnel (including those in an outside organization for bomb disposal); evacuation policy in schools and other buildings; coordination with the fire department; coordination with investigators or evidence specialists responsible for apprehending the bomb threat maker and/or gathering physical evidence; communications procedures during periods of radio silence; and post-explosion notifications and procedures; news media access, and annual plan review.*

**OPR.05.06** Agency equipment designated for use in unusual occurrence situations is inspected at least semi-annually for operational readiness.

**OPR.05.07** Emergency operation plans are accessible to all command personnel.

**OPR.05.08** The agency has a written plan for handling the security of VIPs.

***COMMENTARY:** The plan should include, at a minimum, the following: designation of a single person or position as supervisor and coordinator of any given security detail; equipment requirements, to include consideration of vehicles and body armor for v.i.p.'s and security officers; weapons for officers; planning and reconnoitering travel routes and alternates; advance inspection for gathering intelligence information; coordination of operations within the agency and with outside agencies; identification of emergency first-aid, ambulance, and medical facilities; communications; and identification by designation (e.g. lapel pins.)*

**OPR.05.09** The agency has a written plan for handling special events.

***COMMENTARY:** The plan should include, at a minimum, provisions for the following: designation of a single person or position as supervisor and coordinator for the coverage of a given event; written estimate of traffic, crowd control, and crime problems expected for any given event; contingency plan for traffic direction and control; use of special operations personnel, if any; logistical requirements; coordination inside and outside the agency; and, after-action reports. The standard intends to encourage the development of an overall plan setting out requirements, in turn, for specific planning and operation for each event.*

## **SPECIAL OPERATIONS**

**OPR.06.01** A written directive establishes procedures for full-time or part-time tactical team operations activities, to include, at a minimum:

- a. deployment of tactical teams to supplement other operational components; and
- b. coordination and cooperation between tactical teams and other operational components.

***COMMENTARY:** For those special operations the agency does not perform, the directive should identify where such assistance is available, how it is requested, and what responsibilities agency personnel are to assume until assistance arrives.*

**OPR.06.02** If the agency conducts tactical operations, either on a full-time or part-time basis, a written directive establishes criteria for the selection of officers assigned to those operations.

***COMMENTARY:** Officers who are assigned to tactical operations, whether full or part-time, should be carefully selected. Special criteria for selection should be identified, such as a stipulation that the assignment is voluntary; prior law enforcement experience in a field assignment; physical fitness and agility; and ability to function as a member of a team. The submission of an application, an oral interview, a physical agility test, and a comprehensive background investigation to assess the applicant's potential performance and mental suitability for tactical assignment should be considered. These criteria should be publicized to ensure that all qualified and interested officers have an equal opportunity to apply for these positions.*

**OPR.06.03** If the agency has a full or part-time tactical team, the agency provides specialized equipment for its operations. (Observation)

***COMMENTARY:** Special equipment is needed to provide tactical officers with proper protection and to facilitate successful resolution of tactical operations. The equipment may be issued to officers for storage at home, in agency vehicles, or in some other accessible location.*

**OPR.06.04** If the agency has hostage negotiators, a written directive specifies criteria for selection to those positions.

***COMMENTARY:** Special criteria for selection should be identified, such as passing a psychological screening examination, including testing and a clinical interview by a licensed psychologist or psychiatrist; experience as a law enforcement officer in a field assignment; and good verbal and problem-solving abilities.*

**OPR.06.05** If the agency performs search and rescue missions, a written directive defines the scope and procedures of their activities.

**OPR.06.06\*** If the agency deploys the use of unmanned aerial vehicles (UAV) a written directive addresses the use and includes the following:

- a. requires any operator of a UAV to be adequately trained in its use and operation as prescribed in FAA Small Unmanned Aircraft Regulation Part 107;
- b. lists procedures for authorizing the activation of the UAV;
- c. lists restrictions on the use of the UAV;
- d. provides a retention schedule for any recordings produced by the UAV; and
- e. requires operators to not intentionally record private spaces of parties not being investigated.



## **TRAFFIC**

**OPR.07.01\*** A written directive establishes uniform procedures for taking enforcement action incidental to traffic law violations, to include:

- a. physical arrest;
- b. citation (notice to appear); and
- c. warnings (if used).

**OPR.07.02** A written directive establishes procedures for handling traffic law violations committed by:

- a. non-residents of the agency's service area;
- b. juveniles;
- c. foreign diplomats/consular officials; and
- d. military personnel.

**OPR.07.03** When a motorist is charged with a violation, the agency provides information relative to the specific charge, to include:

- a. court appearance schedule;
- b. whether court appearance by a motorist is mandatory;
- c. whether the motorist may be allowed to enter a plea or pay the fine by mail or at a traffic violations bureau; and
- d. other information that must be provided to the motorist before release.

**OPR.07.04\*** A written directive establishes uniform enforcement policies for traffic law violations, to include:

- a. driving under the influence of alcohol/drugs;
- b. operating a vehicle after driving privileges have been suspended or revoked;
- c. speed violations;
- d. other hazardous violations;
- e. off-road vehicle violations;
- f. equipment violations;
- g. public carrier/commercial vehicle violations;
- h. other non-hazardous violations;
- i. multiple violations;
- j. newly enacted laws or regulations;
- k. violations resulting in traffic accidents; and
- l. pedestrian and bicycle violations.

**OPR.07.05** A written directive establishes procedures for stopping and approaching traffic law violators. (Written Directive Only)

**OPR.07.06** A written directive establishes procedures for handling persons charged with driving while under the influence of alcohol or drugs.

**OPR.07.07** A written directive governs accident reporting and investigation to include accidents involving:

- a. death or injury;
- b. property damage;
- c. hit and run;
- d. impairment due to alcohol or drugs;
- e. hazardous materials; and
- f. occurrences on private property.

**OPR.07.08** A written directive requires agency response to the scene of an accident involving any of the following:

- a. death or injury;
- b. hit and run;
- c. impairment of an operator due to alcohol or drugs;
- d. damage to public vehicles or property;
- e. hazardous materials;
- f. disturbances between principals;
- g. major traffic congestion as a result of the accident; or
- h. damage to vehicles to the extent towing is required.

**OPR.07.09** A written directive specifies accident scene responsibilities for officers responding to accident scenes, including procedures for:

- a. determining the officer or investigator who is in charge at the scene;
- b. identifying and dealing with injured persons;
- c. identifying and dealing with fire hazards or hazardous materials;
- d. collecting information; and
- e. protecting the accident scene.

**OPR.07.10** A written directive governs control of property belonging to accident victims.

**OPR.07.11** A written directive specifies procedures for traffic direction and control, to include the following, at a minimum: (Observation)

- a. uniform hand signals and gestures for manual traffic direction and control;
- b. use of temporary traffic control devices; and
- c. a requirement that any personnel directing traffic, or in the roadway controlling traffic, wear reflective clothing at all times.

**OPR.07.12** A written directive governs provisions for:

- a. law enforcement escort services; and

- b. escorts of civilian vehicles in medical emergencies.

**OPR.07.13** A written directive describes circumstances warranting the use of roadblocks and specifies procedures for implementation. (NOTE: See standards governing Use of Force.)

**OPR.07.14** A written directive governs the provision of assistance to highway users, to include:

- a. general assistance;
- b. mechanical assistance and towing service;
- c. protection to stranded persons; and
- d. emergency assistance.

**OPR.07.15** A written directive specifies procedures for taking action to correct hazardous highway conditions.

**OPR.07.16** A written directive specifies procedures for the following:

- a. handling of abandoned vehicles;
- b. removal and towing of vehicles from public and private property; and
- c. maintaining records of all vehicles removed, stored, or towed at the direction of an officer.

## **PRISONER/PATIENT TRANSPORT**

**OPR.08.01\*** A written directive prescribes the security and control of prisoners being transported, including, but not limited to:

- a. handcuffs and other restraints;
- b. seating arrangements;
- c. security; and
- d. documentation.

***COMMENTARY:** This directive should not be limited to vehicle transport. Procedures for the handling of high risk or dangerous prisoners should be specified, as well as the security of prisoners during rest stops and meals. Additionally, prisoner communication with citizens and each other on multiple transports should be addressed. Documentation should include the delivery of documentation to the receiving officer and obtain the signature of the receiving officer.*

**OPR.08.02\*** A written directive requires the search of transport vehicles before and after transporting prisoners.

***COMMENTARY:** Transport vehicles should be searched to ensure that no contraband, weapons, or other items are present. It should be assumed that a prisoner had an opportunity to deposit such items since constant surveillance is usually not available.*

**OPR.08.03\*** A written directive requires a search of a prisoner by the transporting officer before being transported.

**COMMENTARY:** *This standard is designed to address the officer safety issue. Although this search will occur before transport whenever possible, it is understood there are obvious exceptions when this is not practical. In those exceptions, the search should be made as soon as practical and safe for the officer and the prisoner.*

**OPR.08.04\*** A written directive prescribes procedures for transporting and handling sick, injured, handicapped, or mentally ill prisoners to include:

- a. procedures for prisoners/patients claiming sickness or injury;
- b. procedures for prisoners/patients suspected of carrying a communicable disease such as AIDS or hepatitis;
- c. procedures for supervisory notification in the above or unusual instances;
- d. procedures for dealing with medical personnel and hospital protocols; and
- e. documentation

**COMMENTARY:** *If a prisoner claims an injury, he/she must receive prompt medical treatment.*

**OPR.08.05\*** A written directive governs situations permitting transports by officers of juveniles or prisoners of the opposite sex.

**COMMENTARY:** *Policies should be in place to address the transport by officers of juveniles and prisoners of the opposite sex, to include transmitting the vehicle mileage and time frame to the dispatcher.*

**OPR.08.06** A written directive establishes procedures following the escape of a prisoner while being transported, to include:

- a. further actions to be taken;
- b. timely notifications to be made; and
- c. reports to be prepared.

## **RESTRAINTS**

**OPR.09.01\*** A written directive identifies the types of restraints authorized by the agency and the circumstances or conditions for their use.

**COMMENTARY:** *It is necessary for officers to know the types of restraints available and authorized for use by the agency. Preferred methods should be addressed as well as specific conditions, such as:*

- a. multiple prisoners;
- b. hands cuffed in front or rear;
- c. handcuffing to stationary objects;
- d. mental patients;
- e. medical situations;
- f. lengthy transports, extraditions; and
- g. special situations.

## **JAILS**

*If your jail is Accredited or the agency does not operate a jail, then this section would be all “If” Standards. If your jail is NOT Accredited and you operate a jail, then you must meet all the Standards in the jail section.*

**OPR.10.01** A written directive requires that all involved personnel receive training in the operation of a jail.

**OPR.10.02** A written directive establishes procedures for safeguarding detainee records from unauthorized disclosure. (Observable)

*COMMENTARY: If your agency uses filing cabinets a procedure must be in place for the protection of detainee records. If your agency uses a network to manage detainee records, a cybersecurity plan must be described.*

**OPR.10.03** A written directive describes the "security and control" features of the jail to include:

- a. that firearms and other weapons will be properly secured before entering the jail;
- b. controlling the use of keys and other access devices; and
- c. a physical security check of each detainee.

**OPR.10.04** A written directive prescribes procedures to be followed in the event of an escape.

**OPR.10.05** Consistent with legal requirements, a written directive requires that a search is made of all detainees upon entry into the jail. (Written Directive Only)

**OPR.10.06** A written directive addresses the rights and privileges of foreign nationals and diplomatic immunity to include:

- a. the right to have their consular official notified;
- b. situations where consular notification is mandatory;
- c. the right of consular officials to access foreign nationals in detention and provide consular assistance;
- d. notification of consular officials when an agency member becomes aware of the death of a foreign national;
- e. notification of consular officials when a guardianship or trusteeship is being considered concerning a foreign national who is a minor or incompetent;
- f. handling of a suspect who claims diplomatic immunity;
- g. suggested statements of rights to be administered to foreign nationals who are arrested or detained; and
- h. information needed by the agency to contact the consulate and the U.S. State Department.

*COMMENTARY: Refer to Articles 51 & 55 of the Vienna Convention and the U.S. Department of State publications “Consular Notification and Access” and “Diplomatic and Consular Immunity.”*

## **COURT SECURITY**

**OPR.11.01** A written directive establishes the agency's courthouse/courtroom security function, to include:

- a. physical security plan;
- b. security operations;
- c. special operations plan;
- d. high-risk trial plans;
- e. emergency procedures (fire, bomb, escape, etc.); and
- f. equipment.

*COMMENTARY: The above elements identify some of the data to be included in this standard. The directive could be in the form of either a General Order or department policy.*

**OPR.11.02** A written directive governing the courthouse/courtroom security function must be made available to all personnel assigned therein.

*COMMENTARY: This standard intends to ensure personnel is notified of assigned responsibilities.*

**OPR.11.03** A written directive identifies a position within the agency responsible for the courthouse/courtroom security function. (Written Directive Only)

*COMMENTARY: This standard intends to fix accountability for the agency's courthouse/courtroom security function.*

**OPR.11.04** A written directive governs required searches of courtrooms for contraband.

*COMMENTARY: Personnel assigned to courtrooms should examine all courtrooms before opening and following closing and be alert to any unusual findings.*

**OPR.11.05** A written directive governs the use of prisoner holding cells within the courthouse.

*COMMENTARY: There temporary holding facilities should be inspected daily for contraband and structural integrity.*

**OPR.11.06** A written directive specifies that equipment used for courthouse/courtroom security be identified and available for use at all times. (Observable)

*COMMENTARY: It is important that personnel be aware of and knowledgeable of security equipment. They should have confidence in its quality, condition, and state of readiness.*

## **LEGAL PROCESS**

**OPR.12.01** A written directive governs the service of civil and criminal process, including but not limited to arrest warrants, court orders, writs requiring seizure of real or personal property, and collection of fees. The directive requires that the information regarding each item of the legal process be recorded and maintained, to include:

- a. date and time received;
- b. type of legal process (civil or criminal);
- c. nature of the document;
- d. source of the document;
- e. name of plaintiff/complainant or name of defendant/respondent;
- f. the officer assigned for service/name of the server;
- g. date of assignment;
- h. method of service/reason for non-service
- i. date service due
- j. name of the person for whom service was attempted;
- k. name of the person to whom process was served;
- l. location/address of service or attempted service;
- m. date and time of service or attempted service and return; and
- n. court docket number.

**COMMENTARY:** *The directive should describe the role and responsibilities relating to the service of legal process. Each type of process should be identified and specific requirements explained. Agencies engaged in the collection of fees shall identify the collection and deposit process, and shall require an audit of funds on a regular basis.*

**OPR.12.02** A written directive requires that a record system for criminal warrants allows for twenty-four (24) hour service. (Written Directive Only)

**OPR.12.03** A written directive governs the execution of the criminal process.

**COMMENTARY:** *The directive should address the types of warrants to be executed, territorial limits, time requirements, statutory provisions, and provisions for the issuance of a summons instead of arrest.*

**OPR.12.04** If the agency acquires property through the legal process, a written directive defines the methods to be used in the disposition of all such property.

**COMMENTARY:** *All property acquired through the legal process must be disposed of according to State Statute.*

## **DOMESTIC VIOLENCE**

**OPR.13.01**\* A written directive establishes the procedures for handling domestic violence, to include:

- a. outlining arrest criteria;
- b. defining standards for determining the primary physical aggressor;
- c. outlining standards for completing arrest reports;
- d. defining procedures for transporting victims to safe places or medical facilities;
- e. requiring officers to advise victims of available legal and community resources;
- f. requiring officers to petition for an emergency protective order in accordance with New Mexico State Statute; and
- g. incidents that involve department personnel.

## **BODY-WORN CAMERAS**

**OPR.14.01\*** If the agency deploys Body Worn Camera's a written directive establishes the agencies BodyCamera function:

- a. basic Body Camera usage
- b. the person responsible for ensuring proper working order
- c. recording protocols
- d. process for uploading recorded data
- e. method of documenting the chain of custody
- f. recorded data retention
- g. process for reviewing recorded data
- h. policies for releasing recorded data

## **RECORDING OF POLICE ACTIVITIES**

**OPR.15.01\*** A written directive outlines procedures to be observed with guidance in dealing with situations in which they are being recorded to include photography, videotaping, audiotaping or both by members of the public or press.

## **NALOXONE (NARCAN®)**

**OPR.16.01\*** If Naloxone is available to agency personnel; a written directive establishes procedures for:

- a. Minimum training hours required for use
- b. Refresher training
- c. Deployment locations (i.e. patrol car, front desk, booking area)
- d. Administering procedures
- e. Maintenance/replacement
- f. Reporting procedures.

## **TOURNIQUETS**

**OPR.17.01\*** A written directive establishing procedures requiring certified law enforcement officers have a tourniquet and trauma kit as provided by the law enforcement academy.

Commentary: Refer to NMSA 29-7-7.7

## **INTERVIEW ROOMS**



**OPR.18.01** A written directive establishes procedures for instances where an arrestee or prisoner is left alone in an interview room, addressing the protection of departmental personnel and the safety of the arrestee or prisoner, to include:

- a. constant monitoring of the arrestee/prisoner when left alone in an interview room through visual or video technology;
- b. personnel near the room, available to intervene on behalf of the arrestee/prisoner or the agency immediately as needed;
- c. a search of the arrestee/prisoner has been conducted;
- d. a search or preparation of the room before each interview;
- e. procedures for officers to follow regarding weapons when using the interview room;
- f. controlling the use of keys and other access devices; and
- g. training requirements for all personnel authorized to leave an arrestee/prisoner in the interview room.

***COMMENTARY:*** *The interview room is a commonly used tool in the investigative process. This standard intends to ensure that officers understand and avoid the civil liability that can be incurred when the room is used to hold an arrestee/prisoner who is not under constant personal supervision. The search and preparation of the room should include a survey of the door locks and items available, which would enable the suspect to lock himself/herself in the room when left alone. Constant visual observation can be achieved by sight or video equipment.*

# PERSONNEL

Selection and Hiring	PER.01.01-01.05
Employment Discrimination	PER.02.01-02.03
Compensation, Benefits, and Conditions of Work	PER.03.01-03.06
Off Duty Employment	PER.04.01-04.02
Career Development	PER.05.01-05.04
Performance Evaluations	PER.06.01-06.04
Promotions	PER.07.01-07.02
Grievance Procedures	PER.08.01-08.04
Disciplinary Procedures	PER.09.01-09.05
Communicable Diseases	PER.10.01
Employee Assistance Program	PER.11.01-11.02

## SELECTION AND HIRING

**PER.01.01\*** A written directive identifies the agency's process for the selection of qualified applicants for sworn positions, and includes, at a minimum, requirements found in New Mexico State Statute 29-7-6:

*COMMENTARY: The agency's selection process should be identified in writing and given to each applicant. The elements utilized should measure skills, knowledge, abilities, and traits needed to perform a specific job. In addition to the legal requirements found in state statute, the selection process may consider elements such as: background investigation, a written test, oral interview, polygraph examination, psychological examination, or physical agility test.*

**PER.01.02** A written directive requires that all elements of the selection process be administered, scored, evaluated, and interpreted in a fair and uniform manner.

*COMMENTARY: All elements of the selection process should be clearly set forth and carried out identically for all candidates for each particular position.*

**PER.01.03** A written directive requires that any testing, examinations, interviews, or investigations utilized during the selection process be conducted by personnel trained in these functions.

*COMMENTARY: The sensitive nature of these tests makes it necessary to rely upon personnel who possess training in the use and interpretation of this screening process.*

**PER.01.04** A written directive requires that, at a minimum, applicants receive notification of application disposition.

*COMMENTARY: Notification of the applicant's status is not only a courtesy, but also helps the agency better plan and coordinate its selection process. If applicable, notification regarding re-testing procedures should be made available.*

**PER.01.05** A written directive requires the agency to maintain records on the testing results of each applicant for a minimum of three years.

*COMMENTARY: All records should be stored in a secure area with access restricted to persons legally entitled to review them.*

## **EMPLOYMENT DISCRIMINATION**

**PER.02.01** A written directive prohibits discrimination in the workplace and provides a means by which it can be reported and must include a statement prohibiting discrimination by:

- a. race;
- b. color;
- c. gender;
- d. age;
- e. religion;
- f. ancestry;
- g. sexual orientation;
- h. gender identity;
- i. marital status;
- j. national origin; or
- k. physical or mental disability

*COMMENTARY: Agencies must limit exposure to liability as a result of discrimination in the workplace. Strong policies/directives should address and prohibit such conduct. The agency's reporting procedures shall be defined for employees who believe they have been discriminated against.*

**PER.02.02** A written directive shall identify the person(s) within the agency responsible for investigating complaints of discrimination. (Written Directive Only)

*COMMENTARY: Every complaint should be investigated promptly and diligently regardless of who complains or whom the complaint is against. Management must investigate allegations and take immediate and appropriate corrective action.*

**PER.02.03** The agency's investigations into allegations of discrimination shall be confidential. (Written Directive Only)

*COMMENTARY: Every effort must be made to preserve the confidentiality of both the alleged victim and the alleged harasser to the extent possible without compromising the investigation.*

## COMPENSATION, BENEFITS, AND CONDITIONS OF WORK

**PER.03.01** A written directive describes the agency's salary program, to include:

- a. entry level salary for the agency;
- b. salary differential within ranks;
- c. salary differential between ranks;
- d. salary levels for those with special skills, if any;
- e. compensatory time policy; and
- f. overtime policy.

***COMMENTARY:*** All compensation guidelines must comply with applicable state and federal regulations (FLSA.)

**PER.03.02** A written directive describes the agency's leave program, to include:

- a. administrative leave;
- b. holiday leave;
- c. sick leave; and
- d. vacation (annual) leave.

**PER.03.03** A written directive describes the agencies:

- a. retirement program;
- b. health insurance program;
- c. disability and death benefits program;
- d. liability protection program; and
- e. employee educational assistance program, if any.

**PER.03.04** A written directive describes the provision of clothing and equipment used by employees in performing law enforcement functions.

**PER.03.05** A written directive governs the provision of physical examinations for sworn employees. Any examination required of employees in permanent, full-time jobs must be provided at no cost to the employee.

**PER.03.06** A written directive specifies criteria for general health and physical fitness to be maintained by sworn employees.

## OFF-DUTY EMPLOYMENT

**PER.04.01** A written directive governs off-duty employment.

***COMMENTARY:*** This standard applies to all agency personnel. It pertains to secondary employment of the off-duty type, that is, outside employment wherein the use of law enforcement powers is not anticipated. Non-sworn personnel shall be governed by Department policy concerning outside employment.

**PER.04.02** If the agency permits sworn personnel to engage in extra-duty employment, a written directive addresses the following:

- a. the requirement that sworn personnel must receive agency permission to engage in extra-duty employment;
- b. the behavior and activities of officers during extra-duty employment;
- c. approval, review, and revocation processes about officers' extra-duty employment;
- d. designation of a point of coordination within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and
- e. documentation of the significant aspects of each officer's extra-duty employment.

***COMMENTARY:** This standard pertains to personnel whose secondary employment is of the extra-duty type, that is, outside employment wherein the actual or potential use of law enforcement powers is anticipated.*

## **CAREER DEVELOPMENT**

**PER.05.01** If the agency has a career development program, a written directive establishes training requirements for all sworn personnel assigned by the agency to conduct career development activities.

***COMMENTARY:** Personnel, such as supervisors and counselors, who are assigned to conduct career development activities should undergo a period of orientation that should provide increased knowledge and skill in at least the following areas: general counseling techniques, techniques for assessing skills, knowledge, and abilities; salary, benefits and training opportunities of the agency; educational opportunities and incentive programs; awareness of the cultural background of ethnic groups in the program; record-keeping techniques; career development programs of other jurisdictions; and availability of outside resources.*

**PER.05.02** If the agency has a career development program plan, the plan is evaluated at least every two years and revised, if necessary.

**PER.05.03** The agency maintains an ongoing inventory of skills, knowledge, and abilities of each employee. (Proof Only)

***COMMENTARY:** An inventory of the skills, knowledge, and abilities of each employee is fundamental to career development planning. The inventory may contain information on the following areas: educational background, training courses completed, work experience (past and present), special skills, foreign languages, and a recent performance evaluation.*

**PER.05.04** A written directive requires training in management techniques to sworn personnel upon promotion.

## PERFORMANCE EVALUATIONS

**PER.06.01** A written directive establishes a performance evaluation system and defines its objectives.

*COMMENTARY: The purposes of an evaluation system serve both management and the individual employee. Essentially, these are to: foster fair and impartial personnel decisions; maintain and improve performance; provide a medium for personnel counseling; facilitate proper decisions regarding probationary employees; provide an objective and fair means for measurement and recognition of individual performance by prescribed guidelines; and, to identify training needs.*

**PER.06.02** A written directive requires an annual written performance evaluation of each employee.

*COMMENTARY: The purposes of performance evaluations are to: standardize the nature of the personnel decision making process; ensure the public that the agency's personnel are qualified to carry out their assigned duties; provide personnel with required and expected behavior information to allow them to achieve agency expectations and to eliminate inappropriate behaviors. An individual agency may require more frequent evaluation reports to ensure that the objectives of the system are reached.*

**PER.06.03** A written directive requires at least two written performance evaluations of probationary employees during the probationary period, or as required by jurisdictional personnel policy.

*COMMENTARY: An established set of criteria should be developed to ensure the effective evaluation of personnel on probation to determine, at the earliest point, their suitability for continued employment.*

**PER.06.04** A written directive requires that each employee is counseled at the conclusion of the rating period to include the following areas:

- a. results of the performance evaluation just completed;
- b. level of performance expected, rating criteria or goals for the new reporting period; and
- c. career counseling relative to such topics as advancement, specialization, or training appropriate to the employee's position.

*COMMENTARY: CEO's should ensure that at least once a year the immediate supervisor of each employee provides feedback regarding employee performance.*

## PROMOTION

**PER.07.01** A written directive describes the agency's promotional process, to include:

- a. identifying a position, or positions responsible for administering the promotion process;
- b. describing the elements to be used in the promotion process;
- c. providing eligible employees with a written announcement of the promotion process;
- d. establishing procedures for review of results for each element of the promotion process;
- e. establishing years of service, or time in rank/grade requirement for promotion;
- f. requiring at least a six-month probation period for newly promoted employees, if allowed; and
- g. ensuring all elements used in the promotional process are job-related.

***COMMENTARY:** The agency should describe its promotional process in writing to all employees to ensure that it is consistent. The agency should be guided by the requirements of its governing authority in meeting the requirements of this standard.*

**PER.07.02** If the agency uses eligibility lists in its promotion process, a written directive establishes:

- a. a system for ranking eligible employees on the lists;
- b. the duration of the lists; and
- c. a system for selecting names from the lists.

## GRIEVANCE PROCEDURE

**PER.08.01** A written directive establishes a grievance procedure, including:

- a. identifying matters that are grievable, i.e. scope;
- b. establishing time limitations for filing or presenting the grievance;
- c. establishing procedural steps and time limitations at each step in the grievance procedure;
- d. establishing criteria for employee representation; and
- e. identifying the position or component within the agency responsible for coordination of grievance procedures.

**PER.08.02** A written directive requires that any grievance include:

- a. a written statement of the grievance and the information upon which it is based;
- b. a written specification of the alleged wrongful act and resultant harm; and
- c. a written description of the remedy, adjustment, or other corrective action sought.

**PER.08.03** A written directive establishes procedures for:

- a. responding to any grievance received by the agency;
- b. appeals to any decision made within the grievance process; and
- c. maintaining and controlling of grievance records.

**PER.08.04** If the agency has a grievance board, a written directive specifies its composition, functions, and criteria for appointment of its members.

## **DISCIPLINARY PROCEDURES**

**PER.09.01** A written directive specifies a code of conduct for all employees.

***COMMENTARY:** The directive should specify the conduct and behavior expected of all employees. The directive may be in the form of rules and regulations. Copies of the rules and regulations should be distributed to all employees.*

**PER.09.02** A written directive establishes a disciplinary system, to address:

- a. utilization of training as a function of discipline;
- b. utilization of counseling as a function of discipline;
- c. taking punitive actions in the interest of discipline, including oral reprimands, written reprimands, suspension, demotion, reduction of leave, transfer, and termination, if applicable; and
- d. appeal procedures in disciplinary actions.

***COMMENTARY:** The elements of the disciplinary system should identify the measures to be applied to employee's conduct in the interest of discipline and fairness to both the agency and the employee. The system should further provide for consistency in applying both negative and positive discipline. Procedures for taking punitive actions of suspension, demotion, transfer, or dismissal are subject to state code exemptions. Appeal procedures should include methods for initiation, time frames, recording methods, and scope of the appeal process.*

**PER.09.03** A written directive specifies the role of supervisors and the responsibility and authority attendant to each level of supervision and command relative to disciplinary actions.

***COMMENTARY:** The role of supervisors is critical in the disciplinary process. Supervisors have the best opportunity to observe conduct and behavior and detect instances when disciplinary actions are appropriate. Additionally, they are better able to determine the most effective methods of discipline.*

**PER.09.04** If employee misconduct results in dismissal, the following information is provided to the employee:

- a. a statement citing the reasons for dismissal; and
- b. the effective date of the dismissal.

***COMMENTARY:** Compliance with this standard is subject to state code exemptions.*

**PER.09.05** A written directive specifies procedures for maintenance of records of disciplinary actions. (Written Directive Only)

***COMMENTARY:** The directive should require written records of disciplinary actions and should include where the records should be filed, how long they should be maintained, and under what circumstances they should be purged.*



## COMMUNICABLE DISEASES

**PER.10.01** A written directive addresses communicable diseases to include the following:

- a. the designation of a position responsible for the coordination of a communicable disease program;
- b. precautions associated with public safety personnel in the performance of their duties;
- c. protective equipment issued to and maintained by personnel;
- d. reporting procedures for possible exposure;
- e. disposal of contaminated materials;
- f. guidelines for associated medical care;
- g. training; and
- h. record keeping confidentiality.

## EMPLOYEE ASSISTANCE PROGRAM

**PER.11.01** The Agency makes available to employees an Employee Assistance Program (EAP) designed to assist in the identification and resolution of concerns or problems (personal or job-related, which may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include but are not limited to health, marital status, family, financial, substance abuse, emotional/stress and other personal matters. The Employee Assistance Program shall include, at a minimum:

- a. a written directive describing program services; procedures for obtaining program services;
- b. confidential, appropriate and timely problem assessment services;
- c. referrals to services, either workplace or community resources for appropriate diagnosis, treatment, and follow-up;
- d. written procedures and guidelines for referral to or mandatory participation; and
- e. training of designated supervisory personnel in the program services, supervisor's role and responsibility, and identification of employee behaviors which would indicate the existence of employee concerns, problems or issues that could impact employee job performance.

***COMMENTARY:*** *An employee assistance program is intended to assist employees who are suffering from persistent problems that may tend to jeopardize the employee's psychological and physical well being. The goal of this type of program is to help individuals who have developed problems by providing services for consultation, treatment, and rehabilitation to prevent their condition from progressing to the degree that it will prevent the employee from functioning effectively in the workplace.*

*An employee's referral may be voluntary, in which the employee elects to participate in the program, or it may be a supervisory referral, in which a supervisor uses agency guidelines to refer an employee into the program. An employee has the option to refuse the referral into the program and should be given the right to discontinue participation at any time. Appropriate measures should be taken to ensure confidentiality of records for the employees admitted to the program, according to established agency directives, personnel guidelines and state and federal regulations.*

**PER.11.02** A written directive establishes a Personnel Early Warning System to identify agency employees who may require agency intervention efforts. The system should include procedures for:

- a. provisions to initiate a review based on current patterns of collected material;
- b. agency reporting requirements of conduct and behavior;
- c. annual evaluation of the system;
- d. the role of first and second level supervision;
- e. remedial action; and,
- f. some type of employee assistance such as a formal Employee Assistance Program, peer counseling, etc.

***COMMENTARY:*** *A comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential problem employee's and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agencies values and mission statement.*

*The agency's Personnel Early Warning System should be initiated when certain types of incidents occur, and there should be an evaluation of collected material. Such material may include, but not necessarily be limited to, agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs, supervisory and employee reports such as workman's compensation claims and traffic accidents.*

*The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. The failure of the agency to develop a comprehensive Personnel Early Warning System can lead to the erosion of public confidence in the agencies ability to investigate itself while putting the public and agency employees in a greater risk of danger.*

*A Personnel Early Warning System should include options and reviews available through use of force reporting, the disciplinary system, employee assistance program, and Internal Affairs.*

*The first and second levels of supervision are crucial elements to a successful Personnel Early Warning System and should be emphasized in the agency's procedures.*

# TRAINING

<b>Recruit Training</b>	<b>TRN.01.01-01.02</b>
<b>Specialized In-Service Training</b>	<b>TRN.02.01-02.03</b>
<b>Civilian Training</b>	<b>TRN.03.01-03.02</b>
<b>Record Keeping</b>	<b>TRN.04.01</b>

## RECRUIT TRAINING

**TRN.01.01**\* The agency requires all newly sworn officers to complete a New Mexico Law Enforcement Academy training program successfully before any routine assignment in any capacity where the officer is allowed to carry a weapon or is in a position to make an arrest, except as part of a formal field training program. The recruit training program shall include:

- a. a curriculum based on tasks of the most frequent assignments of officers who complete recruit training;
- b. use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities;
- c. compliance with state training mandates for law enforcement officers; and
- d. all applicable legal requirements relevant to the performance of duties (records, dispatch, etc.).

**TRN.01.02** A written directive establishes a field training program for recruits with provisions for the following:

- a. field training of at least four weeks for trainees, during or after the required classroom training with direct supervision of the trainee by a Field Training Officer(s);
- b. a selection process for field training officers;
- c. supervision of field training officers;
- d. liaison with the academy staff;
- e. training and in-service training of field training officers;
- f. rotation of recruit field assignments, if possible;
- g. guidelines for the evaluation of recruits by field training officers; and
- h. reporting and documentation of responsibilities of field training officers.

## **SPECIALIZED IN-SERVICE TRAINING**

**TRN.02.01** A written directive identifies the functions for which specialized training is required, and includes the following:

- a. development or enhancement of the skills, knowledge, and abilities particular to the specialization;
- b. management, administration, supervision, personnel policies, and support services of the function or component; and
- c. supervised on-the-job training.

**TRN.02.02** If the agency has Specialized Units, the agency requires that all personnel assigned to these units engage in regularly scheduled training and readiness exercises.

**TRN.02.03** The agency provides skill development to all personnel upon functional reassignment or promotion.

## **CIVILIAN TRAINING**

**TRN.03.01** A written directive requires all newly appointed civilian personnel to receive information regarding:

- a. the agency's role, purpose, goals, policies, and procedures;
- b. working conditions and regulations; and
- c. responsibilities and rights of employees.

**TRN.03.02** A written directive identifies the civilian positions for which pre-service and in-service training are required, and the position within the organization responsible for planning, conducting, and documenting such training.

## **RECORD KEEPING**

**TRN.04.01** A written directive requires that proper documentation and records be kept on file for all job-related training received by agency personnel, to include:

- a. the title of the training received;
- b. the dates and hours of attendance;
- c. the identification of trainers or agencies presenting the course; and
- d. the names of all agency personnel receiving the training.